

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WELLS FARGO BANK, N.A.,

Plaintiff

v.

FIDELITY NATIONAL TITLE GROUP,
 INC., et al.,

Defendants

Case No.: 2:21-cv-00996-APG-DJA

**Order Denying Motion to Stay, Denying
 Motion to Supplement, and Denying as
 Moot Motion to Strike**

[ECF Nos. 6, 43, 47]

Defendants Fidelity National Title Group, Inc. and Fidelity National Title Insurance Company moved to stay the case pending the Ninth Circuit's ruling on *Wells Fargo Bank, N.A. v. Fidelity National Title Ins. Co.*, case number 19-17332. ECF No. 6. While the motion was pending, the Ninth Circuit issued its ruling in that case and the mandate has issued. I therefore deny the motion to stay as moot.

The defendants thereafter filed a supplemental motion to stay the case, this time based on a similar case pending before the Supreme Court of Nevada, *PennyMac Corporation v. Westcor Land Title Insurance Company*, case number 83737. ECF No. 43. Plaintiff Wells Fargo Bank, N.A. moves to strike the supplemental motion as not compliant with the Local Rules. ECF No. 47.

I deny the supplemental motion to stay. *See Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005); *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936). The opening brief in the case before the Supreme Court of Nevada is not due for another 60 days. Thus, it is likely a stay would be lengthy while the briefing is completed, the matter is set for oral argument, and a decision is rendered.

1 The more expeditious, efficient, and just resolution of this case counsels in favor of
2 completing discovery rather than staying the case entirely. Dispositive motions are not due until
3 August 17, 2022. ECF No. 37. While the parties may want to revisit a stipulation to stay at that
4 point depending on the progress of *PennyMac* before the Supreme Court of Nevada, a complete
5 stay of the case at this time is unwarranted. Because I deny the supplemental motion to stay, I
6 deny the motion to strike as moot.

7 I THEREFORE ORDER that the defendants' motion to stay **(ECF No. 6) is DENIED.**

8 I FURTHER ORDER that the defendants' supplemental motion to stay **(ECF No. 43) is**
9 **DENIED.**

10 I FURTHER ORDER that the plaintiff's motion to strike **(ECF No. 47) is DENIED as**
11 **moot.**

12 DATED this 13th day of January, 2022.

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15 ANDREW P. GORDON
16 UNITED STATES DISTRICT JUDGE
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